

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

JUNE 30, 2009

KENDALL-DEAN SCHOOL

7:00 P.M.

The meeting began at 7:03 P.M. with the prayer and the pledge to the flag. Council members present were Dr. Benoit, Mr. Biron, Mr. Leclerc and Mr. Lovett. (Mr. Zwolenski had been out of town and arrived later in the evening.) Town Administrator Hamilton and Town Solicitor Nadeau were also in attendance.

EXECUTIVE SESSION

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on an aye vote to enter into executive session pursuant to RIGL 42-46-5(A)(1) Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on an aye vote to come out of executive session at 7:24 P.M. and to seal the minutes. No motions were made and no votes were taken while in executive session.

ADOPTION OF 2009/2010 BUDGET

REVENUE

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted 3 to 1 on a roll call vote (Dr. Benoit voted no) to increase the Town Clerk fees for 09/10 to \$282,370.

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted 3 to 1 on a roll call vote (Mr. Lovett voted no) to increase the Building Inspector fees for 09/10 to \$165,000.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to increase RI State Aid for Schools, Unrestricted Funds, by \$204,290 making the total \$5,553,560.

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to approve the proposed 2009/2010 revenue budget for a total of \$34,194,270.

EXPENDITURES

TOWN COUNCIL

MOTION by Mr. Biron, seconded by Dr. Benoit, and voted unanimously on a roll call vote to decrease Line Item 4111-101 Salaries to \$11,475.

MOTION by Mr. Biron to decrease Line Item 4111-221 FICA to \$880.

Mr. Nadeau informed the Council that the Town Charter states that no changes in compensation shall take effect until after the next biennial

election and installation of town councilmen.

Mr. Biron withdrew his motion to decrease FICA.

MOTION by Mr. Biron, seconded by Mr. Leclerc and Dr. Benoit, and voted unanimously on an aye vote to reconsider the motion regarding the reduction in Town Council salaries pursuant to the Town Charter.

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MOTION by Mr. Biron and seconded by Mr. Leclerc to reduce Line Item 4111-101 Salaries by \$1,275 to \$11,475. On a roll call vote, the motion failed 4 to 0.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve the Town Council budget of \$14,330.

PROBATE COURT

MOTION by Mr. Biron and seconded by Dr. Benoit to remove \$3,500 from Line Item 4121-540 Advertising since it is a wash account.

Interim Finance Director Gray insisted that there must be an appropriation in order to expend funds.

Mr. Biron withdrew his motion and Dr. Benoit withdrew his second.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$7,900.

TOWN SOLICITOR

MOTION by Mr. Biron, seconded by Dr. Benoit, and voted unanimously on a roll call vote to increase Line Item 4122-323 Extra-Ordinary Litigation by \$50,000 to \$100,000.

MOTION by Mr. Biron, seconded by Mr. Leclerc and Dr. Benoit, and voted unanimously on a roll call vote to approve a total budget of \$208,650.

ADMINISTRATION OFFICE

MOTION by Mr. Biron to remove \$10,000 for a grant writer. There was no second.

MOTION by Mr. Leclerc, (on behalf of Mr. Zwolenski), seconded by Mr. Biron, and voted unanimously on a roll call vote to reduce Line Item 4131-625 Telephone/Communication from \$2,500 to \$2,000.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a total budget of \$148,430.

TOWN CLERK'S OFFICE

MOTION by Mr. Leclerc (on behalf of Mr. Zwolenski) and seconded by

Mr. Lovett for discussion to increase the Recording Clerk's salary from \$26,340 to \$27,125.

Mr. Lovett asked why this salary went down from the 2008/2009 figure.

Mr. Gray answered that, at the time of last year's budget, contract negotiations were in process and a three percent increase for union personnel had been included but the contract was never ratified.

On a roll call vote, the motion failed 4 to 0.

(Mr. Zwolenski arrived at 8:22 P.M.)

MOTION by Dr. Benoit, seconded by Mr. Biron, and voted 4 to 0 (Mr. Zwolenski abstained) on a roll call vote to approve a budget of \$166,850 for the Town Clerk's office.

PLANNING DIVISION

MOTION by Mr. Biron, seconded by Mr. Leclerc for discussion, to decrease the Planner's salary by \$180 to \$56,690.

Mr. Gray believed this had been a transposition error.

The motion passed unanimously on a roll call vote.

MOTION by Mr. Biron, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$140,090 for the Planning Division.

BOARD OF CANVASSERS

MOTION by Mr. Leclerc, seconded by Mr. Lovett for discussion, to approve a budget of \$5,520.

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Mr. Lovett did not believe an election was scheduled for this budget cycle and funds for that should be eliminated.

Mr. Leclerc withdrew his motion and Mr. Lovett withdrew his second.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4141-313 Election Expense to zero.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a Board of Canvassers budget of \$1,420.

FINANCE DEPARTMENT

MOTION by Mr. Biron and seconded by Mr. Zwolenski for discussion to reduce Line Item 4151-115 Director's Salary to \$63,328.

Mr. Zwolenski looked to the salary that was set in 2007/2008 at \$71,028. He felt since this is a new employee, time should be taken to observe and evaluate the job performance.

After being questioned by Mr. Lovett, Mr. Nadeau commented that there may be some liability in reducing the salary since it has already been offered and accepted.

Mrs. Hamilton added that the new director entered into an agreement in good faith and there had been no discussion of the salary changing so the person tendered her resignation at her current job.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett – no. The motion carried 3 to 2.

Mrs. Hamilton stated the Council has been asking her to get a finance director, she has someone who is starting on Monday and she has no way of contacting her beforehand to inform her that the offer has been refused. Mrs. Hamilton felt the vote was grossly unfair.

After reading the woman's resume, Mr. Biron saw no qualifications in accounting or past municipal experience.

Mrs. Hamilton responded that the previous finance director came from a non-profit, had no municipal experience and no degree.

Mr. Lovett stated that when the previous finance director started in 2004, she was earning \$62,000. Within the next three or four years, she was up to \$71,028 and last year she and the assistant finance director received significant salary increases. The finance director salary became \$79,160.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 4 to 1 (Mr. Biron voted no) on a roll call vote to reconsider the vote just taken regarding the Finance Director's salary.

MOTION by Mr. Leclerc and seconded by Mr. Biron to reduce the Finance Director's salary by \$15,832 to \$63,328.

Mr. Nadeau read Article VII, Sec. 2(2) from the Charter, which states: "Compensation: The director of finance shall receive such annual compensation as may be set by a vote of the town council, unless the duties of said office shall be performed by the town administrator."

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; and Mr. Lovett – no. The motion failed 4 to 1.

MOTION by Mr. Leclerc and seconded by Dr. Benoit to approve a budget of \$224,900 for the Finance Department.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr.

Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

TAX ASSESSOR'S DEPARTMENT

Mr. Lovett was concerned that there is only one employee in this department.

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Tax Assessor Chris Belair did not feel she would have enough work to substantiate a full-time employee.

MOTION by Dr. Benoit and seconded by Mr. Leclerc to increase Part-Time Help to \$15,000.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 3 to 2.

MOTION by Mr. Leclerc and seconded by Mr. Lovett to modify Line Item 4152-120 Secretary to \$25,644.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

MOTION by Dr. Benoit and seconded by Mr. Leclerc to increase Line Item 4152-211 Health Insurance to \$30,040.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

MOTION by Dr. Benoit and seconded by Mr. Leclerc to increase Line Item 4152-212 Life Insurance to \$650.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

MOTION by Dr. Benoit and seconded by Mr. Leclerc to increase Line Item 4152-213 Dental Insurance to \$2,140.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

MOTION by Dr. Benoit and seconded by Mr. Leclerc to increase Line Item 4152-221 FICA to \$5,870.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

MOTION by Mr. Leclerc and seconded by Mr. Zwolenski to reduce Part-Time Help to \$0.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett - yes. The motion carried 4 to 1.

MOTION by Mr. Leclerc and seconded by Dr. Benoit to approve a budget of \$143,744 for the Tax Assessor's Department.

Roll call: Dr. Benoit – yes; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – yes. The motion carried 3 to 2.

TAX COLLECTOR'S OFFICE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$109,710 for the Tax Collector's Office.

BOARD OF TAX REVIEW

MOTION by Mr. Leclerc, seconded by Mr. Lovett, and voted unanimously on a roll call vote to reduce Line Item 4154-311 Expense to \$1.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$1 for the Board of Tax Review.

AUDITS AND COMPUTER SERVICE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$88,900.

ZONING BOARD EXPENSE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$9,930.

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PERSONNEL BOARD

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4152-311 Personnel Board by \$9 to \$1.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$1.00 for the Personnel Board.

CONSERVATION COMMISSION

MOTION by Dr. Benoit and seconded by Mr. Biron and Mr. Zwolenski to increase Line Item 4163-311 Conservation Commission by \$4,000 to satisfy the request of the donor of open space for a sign on the Wawzkiewicz property.

Mr. Zwolenski offered \$500 towards purchase of the sign.

Dr. Benoit spoke with the Conservation Commission Chairman this evening and was told that \$4,000 would cover the expense. If Mr. Zwolenski was willing to donate \$500, Dr. Benoit would reduce his

request to \$3,500.

Dr. Benoit withdrew his motion and Mr. Biron and Mr. Zwolenski withdrew their seconds.

MOTION by Dr. Benoit and seconded by Mr. Biron and Mr. Zwolenski to increase Line Item 4163-311 Conservation Commission by \$3,500 for a total of \$4,250.

Mr. Gray commented that in order to cut a check for \$4,000, there has to be an appropriation available for that amount.

The MOTION was amended by the main maker, the second amended, and it was voted unanimously on a roll call vote to increase Line Item 4163-311 by \$4,000 and approve a total budget of \$4,750 for the Conservation Commission.

HISTORIC DISTRICT COMMISSION

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to reduce Line Item 4164-311 by \$9 to \$1.

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to approve a budget of \$1 for the Historic District Commission.

HOUSING AUTHORITY

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to reduce Line Item 4165-311 by \$9 to \$1.

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to approve a budget of \$1 for the Housing Authority.

REGIONAL INDUSTRIAL DEVELOPMENT

MOTION by Mr. Biron to reduce Line Item 4166-340 Economic Development Funds by \$3,000. There was no second.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 4 to 1 (Mr. Biron voted no) on a roll call vote to approve a budget of \$3,000 for Regional Industrial Development.

PUBLIC SAFETY COMMISSION

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4167-311 by \$9 to \$1.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$1 for the Public Safety Commission.

BUDGET COMMITTEE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4168-311 by \$9 to \$1.

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MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$1 for the Budget Committee.

JUVENILE HEARING BOARD

MOTION by Mr. Biron and seconded by Mr. Leclerc and Mr. Zwolenski to eliminate the Coordinator Position and the salary of \$3,200 and move that position to the Police Department.

Following a request by Chief Reynolds for the Council to address this when the Police Department budget was discussed, Mr. Biron withdrew his motion and Mr. Leclerc and Mr. Zwolenski withdrew their seconds.

TOWN HALL

MOTION by Mr. Biron and seconded by Mr. Zwolenski to decrease Line Item 4191-610 Maintenance and Supplies to \$1,000.

Mr. Gray explained that he had consolidated maintenance and supplies for all Town Hall offices into one line item, hence the request for \$5,000.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 4 to 1.

MOTION by Dr. Benoit, seconded by Mr. Lovett, and voted 4 to 1 (Mr. Biron voted no) to approve a budget of \$10,000 for Town Hall.

PLANT OPERATIONS

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc and Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$15,000 for Plant Operations.

PRINTING AND ADVERTISING

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on a roll call vote to approve a budget of \$14,500 for Printing and Advertising.

CONTINGENCY FUND

MOTION by Mr. Leclerc to reduce Fund Balance Restoration from \$100,000 to \$50,000. There was no second.

The Council opted to return to this account later.

SCOUTERS' HALL

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$4,200 for Scouters' Hall.

NS PUBLIC LIBRARY

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$342,100 for the NS Public Library.

POLICE DEPARTMENT

Chief Reynolds proposed changing the Administrative Assistant's position to part-time at a salary of \$17,000. This would result in a savings of \$11,400 on salary alone, not including benefits.

Chief Reynolds questioned the Clothing Allowance and Maintenance Accounts as there seemed to be some confusion.

Mr. Gray stated the Maintenance Account was for cleaning of uniforms which left the department without any funds for building repairs.

Upon explanation from Chief Reynolds, Mr. Gray admitted that he should not have split the maintenance of uniforms out of the clothing allowance and suggested recombining them and, in addition, providing an amount for building repairs.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to move \$15,750 from Line Item 4211-311 Maintenance to Line Item 4211-260 Clothing Allowance for a total of \$35,700.

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MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call vote to reduce Line Item 4211-140 Administrative Assistant to the Chief to \$17,000.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4211-211 Health Insurance by \$5,000 to \$240,110.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4211-221 FICA by \$872 to \$115,628.

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on a roll call vote to add \$3,000 for Line Item 4211-311 Maintenance.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a Police Department

budget of \$2,276,398.

JUVENILE HEARING BOARD

MOTION by Mr. Leclerc and seconded by Mr. Zwolenski to approve a budget of \$3,450 for the Juvenile Hearing Board.

Roll call: Dr. Benoit – no; Mr. Biron – no; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett – yes. The motion carried 3 to 2.

ANIMAL CONTROL

MOTION by Mr. Leclerc and seconded by Dr. Benoit to approve a budget of \$69,650.

Mr. Leclerc withdrew his motion and Dr. Benoit withdrew his second since some corrections needed to be made.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to increase Line Item 4212-260 Clothing Allowance by \$25 to \$625 per contractual obligations.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski and Dr. Benoit, and voted unanimously on a roll call vote to reduce Line Item 4212-626 Gas/Oil/Mechanical Expense by \$25 to \$2,975.

MOTION by Dr. Benoit, seconded by Mr. Leclerc, and voted unanimously on a roll call vote to approve a budget of \$69,650 for

Animal Control.

CIVIL DEFENSE

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted 4 to 1 (Mr. Biron voted no) on a roll call vote to approve a budget of \$5,140.

NORTH SMITHFIELD FIRE & RESCUE SERVICE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$2,449,760 for the North Smithfield Fire & Rescue Service.

HYDRANT RENTAL

MOTION by Dr. Benoit, seconded by Mr. Leclerc, and voted unanimously on a roll call vote to approve a budget of \$45,000 for Hydrant Rental.

INSPECTION DIVISION

MOTION by Mr. Leclerc and seconded by Mr. Biron to reduce Line Item 4241-157 PT Bldg/Zoning Inspector to \$0.

Dr. Benoit questioned if the department could function if there was no one to fill in for Building Inspector Robert Benoit realizing there are time limitations on inspections per state law.

Mr. Benoit confirmed that there is a 72-hour window for completing inspections and the department would not run as smoothly as it does

without a part-time inspector.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 4 to 1.

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MOTION by Dr. Benoit, seconded by Mr. Lovett, and voted 4 to 1 (Mr. Biron voted no) to approve a budget of \$152,390 for the Inspection Division.

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc, and voted unanimously on an aye vote at 10:05 P.M. to extend the meeting to 11:00 P.M.

HIGHWAY DEPARTMENT

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$741,710 for the Highway Department.

PARKS AND RECREATION

MOTION by Mr. Biron and seconded by Dr. Benoit to move Line Item 4312-127 Parks & Recreation Director to the Highway Department budget which would be a total salary of \$59,330.

Mr. Nadeau commented that there is pending litigation with the

Director and a Parks and Recreation employee.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 4 to 1.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to increase Line Item 4312-601 Uniform – Clothing Allowance by \$225, per contract obligations, to \$625.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to decrease Line Item 4312-626 Gas/Repairs by \$225 to \$11,475.

MOTION by Mr. Leclerc and seconded by Mr. Biron to reduce Line Item 4312-619 Summer Concerts to \$0.

Roll call : Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – yes; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 3 to 2.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 4 to 1 (Mr. Biron voted no) to approve a budget of \$131,020 for Parks and Recreation.

TREE WARDEN

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted

unanimously on a roll call vote to approve a budget of \$3,820 for the Tree Warden.

STREET LIGHTS

MOTION by Dr. Benoit and seconded by Mr. Zwolenski to reduce the street light expense by \$7,500.

Mrs. Hamilton stated that she and Mr. Pendergast had spoken with a National Grid representative today and the town's municipal contract does not limit the number of street lights that can be turned off. Additionally, there is no cost to turn lights off.

Having heard that, Dr. Benoit withdrew his motion and Mr. Zwolenski withdrew his second.

MOTION by Dr. Benoit and seconded by Mr. Biron to eliminate fifty percent of the street lights for a savings of \$75,000.

Mr. Lovett was concerned with public safety if that many lights are shut off.

Mrs. Hamilton talked about this with the police chief, the fire chief, the public works director and a couple of residents and they believed it should be done in increments, looking at where they can be eliminated.

Mr. Zwolenski suggested reducing the number of street lights by twenty-five percent, saving the town \$40,000 over the course of a year.

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Roll call: Dr. Benoit – yes; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 3 to 2.

MOTION by Mr. Zwolenski and seconded by Mr. Leclerc to reduce the street light budget by \$40,000 to \$110,000.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett – no. The motion carried 3 to 2.

RUBBISH DISPOSAL

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to approve a budget of \$664,800 for Rubbish Disposal.

MOTION by Mr. Zwolenski, seconded by Mr. Leclerc and Dr. Benoit, and voted unanimously on an aye vote at 11:00 P.M. to extend the meeting to 11:30 P.M.

SEALER OF WEIGHTS

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted

unanimously on a roll call vote to reduce Line Item 4316-151 Personnel by \$9 to \$1.

MOTION by Mr. Leclerc, seconded by Mr. Biron, and voted unanimously on a roll call to approve a budget of \$1 for the Sealer of Weights.

DEBT SERVICE – PRINCIPAL

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve \$2,175,720.

DEBT SERVICE – INTEREST

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve \$1,670,010.

MEDICAL & RETIREMENT EXPENSE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve \$361,570.

INSURANCE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a budget of \$250,000.

CONTINGENCY FUND

MOTION by Mr. Leclerc and seconded by Mr. Zwolenski to reduce the Fund Balance Restoration by \$50,000.

Following a discussion with Mr. Gray and Mr. Przybyla, Mr. Leclerc withdrew his motion and Mr. Zwolenski withdrew his second.

MOTION by Mr. Zwolenski and seconded by Mr. Leclerc to reduce Line Item 4194-565A Contingency Fund from \$50,000 to \$30,000.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett – no. The motion carried 3 to 2.

MOTION by Mr. Zwolenski and seconded by Mr. Biron to approve a budget of \$287,040 for the Contingency Fund.

Mr. Lovett suggested removing the \$100,000 from Fund Balance Restoration to give to the school department because he felt they needed the money now and the town probably would not be going out for bonds any time soon.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – yes; Mr. Lovett – no. The motion failed 3 to 2.

MOTION by Mr. Biron, seconded by Mr. Leclerc, and voted unanimously on an aye vote at 11:30 P.M. to extend the meeting to 12:00 A.M.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski and Mr. Biron,

and voted 4 to 1 (Dr. Benoit voted no) to reconsider the vote on the total budget for the Contingency Fund.

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MOTION by Mr. Biron and seconded by Mr. Zwolenski to approve a budget of \$287,040 for the Contingency Fund.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – yes; Mr. Zwolenski – yes; Mr. Lovett – no. The motion carried 3 to 2.

SCHOOL DEPARTMENT

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to increase Line Item 4821-923 School Department – State Funded by \$204,290 for a total of \$4,085,690.

Mr. Leclerc stated he attempted during the evening to reduce several line items that would have amounted to approximately \$66,000 in savings that he intended to give to the school department. The votes, however, did not go in his favor.

MOTION by Mr. Leclerc and seconded by Dr. Benoit to approve a School Department budget of \$21,091,090.

Mr. Biron stated that cuts he proposed would have totaled over \$125,000 that he also planned on turning over to the school

department.

Following a request by Mr. Lovett to approve the school department budget line item by line item, Mr. Leclerc withdrew his motion and Dr. Benoit withdrew his second.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 4 to 1 (Mr. Lovett voted no) to approve Line Item 4821-922 School Department – Town Funded in the amount of \$16,885,400; Line Item 4821-923 School Department – State Funded in the amount of \$4,085,690; and Line Item 4821-932 State Tuition for Group Home in the amount of \$120,000 for a total budget of \$21,091,090.

GRANTS AND CONTRIBUTIONS

MOTION by Mr. Biron and seconded by Mr. Lovett to reduce Line Item 4911-861 Senior Citizen Bus Trips by \$1,000 to \$4,000.

Mr. Biron felt that everyone was being asked to take a cut and the senior population should also.

Roll call: Dr. Benoit – no; Mr. Biron – yes; Mr. Leclerc – no; Mr. Zwolenski – no; Mr. Lovett – no. The motion failed 4 to 1.

MOTION by Mr. Leclerc, seconded by Mr. Zwolenski, and voted 4 to 1 (Mr. Biron voted no) on a roll call vote to approve a budget of \$46,150 for Grants and Contributions.

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 4 to 1 (Mr. Biron voted no) on a roll call vote to approve a total appropriation of \$34,193,129.

REVENUE

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted 5 to 0 on a roll call vote to reconsider the vote on the 2009/2010 revenue budget.

MOTION by Mr. Leclerc and seconded by Dr. Benoit to approve a revenue budget of \$34,194,270. On a roll call vote the motion failed 5 to 0.

MOTION by Mr. Leclerc, seconded by Dr. Benoit and Mr. Zwolenski, and voted unanimously on a roll call vote to approve a 2009/2010 revenue budget of \$34,193,129.

MOTION by Mr. Biron, seconded by Dr. Benoit, and voted unanimously on an aye vote to extend the meeting at 12:05 A.M. to 12:20 A.M.

SEWER BUDGET

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve a Sewer Budget for Fiscal Year 2009/2010 in the amount of \$1,847,510.

June 30, 2009

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve the usage rate of \$383.72 for 3,031 users.

MOTION by Mr. Biron, seconded by Dr. Benoit, and voted unanimously on an aye vote at 12:20 A.M. to extend the meeting to 12:30 A.M.

METHOD OF TAX COLLECTION

MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted unanimously on a roll call vote to approve the following Method of Tax Collection:

That the finance director be and is hereby authorized to pay each order when approved by the town council, by the school committee or the director of public aid, as the case may be.

That the finance director be and is hereby authorized to apply receipts for the interest on overdue taxes toward the payment of interest on bonds and notes of the town.

That the finance director be and is hereby authorized, within the consent of the town council, to hire such sum or sums of money as

may be necessary to carry on the business of the town for the ensuing year.

That the finance director be and is hereby authorized to pay the town's debts and interest.

IT IS HEREBY RESOLVED: That the North Smithfield Town Council, in a meeting legally assembled on June 30, 2009, hereby orders a levy apportionment and collection of a tax on the ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum of not less than \$24,834,902, nor more than \$25,336,617. Said taxes are for ordinary expenses and charges, for the payment of interest and indebtedness in whole or in part of said town and for the other expenses or purposes authorized by law. The tax assessor shall assess and apportion said tax on the inhabitants and ratable property of said town as of the thirty-first (31st) day of December A.D. 2008, at twelve (12) o'clock midnight Eastern Standard Time or Daylight Savings Time, with exception of new construction, as the case may be according to law and delivered to and deposited the same in the office of the town administrator on or before the thirtieth (30th) day of June, 2009.

The town administrator, on receipt of said assessment, shall forthwith make a copy of same and deliver it to the finance director, who shall forthwith issue and affix to said copy a warrant under his/her hand directed to the collector of taxes of the town, commanding him/her to

proceed and collect said tax of the person and estate liable therefore, said tax shall be due and payable no later than the fifteenth (15th) day of August, 2009, and all taxes remaining unpaid no later than the fifteenth (15th) day of August, 2009, shall carry until collected a penalty at a rate of twelve (12) percent per annum, unless specifically abated by a vote of the Town Council under Title 44 of the General Laws of RI, 1956, as amended. Said tax may be paid in four (4) installments, the first installment of twenty-five (25) percent no later than the fifteenth (15th) day of August, A.D., 2009, and the remaining installments as follows: twenty-five (25) percent on the fifteenth (15th) day of October, A.D., 2009 and twenty-five (25) percent on the fifteenth (15th) day of January A.D., 2010 and the remaining twenty-five (25) percent on the fifteenth (15th) day of April, A.D., 2010.

Each installment of taxes, if paid on or before the last day of each installment period successively and in order, shall be free from any charge for penalty. If the first installment or any succeeding installment of taxes is not paid by the last date of the respective installment period or periods as they occur, then the whole tax or remaining unpaid balance of the tax, as the case may be, shall immediately become due and payable and carry until collected a penalty at a rate of twelve (12) percent per annum from the first quarter due date or the last satisfied quarter unless specifically abated by a vote of the town council under Title 44 of the General Laws of RI, 1956, as amended. Quarterly payment option shall not apply to any tax levied in an amount not in excess of one hundred dollars (\$100.00) in which case such tax shall be payable in a single

installment.

June 30, 2009

**CHANGING HOURS OF OPERATION FOR TOWN HALL AND
MUNICIPAL ANNEX**

**MOTION by Dr. Benoit, seconded by Mr. Leclerc, and voted
unanimously on an aye vote to continue this discussion to the
meeting of July 20, 2009.**

**MOTION by Mr. Leclerc, seconded by Dr. Benoit, and voted
unanimously on an aye vote to adjourn at 12:30 A.M.**

Respectfully submitted,

Debra A. Todd, Town Clerk